

Message Text

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ACTION OFA-01

INFO OCT-01 ARA-06 ISO-00 FEA-01 ACDA-05 AGR-05 AID-05

CEA-01 CEQ-01 CG-00 CIAE-00 CIEP-01 COME-00 DLOS-04

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 TRSE-00

H-02 INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-03 OMB-01 PA-01 PM-04 PRS-01 SP-02 SS-15

USIA-06 /111 W

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FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 5688

INFO USUN 507

C O N F I D E N T I A L PANAMA 6802

E.O. 11652: GDS

TAGS: EFIS, PN

SUBJECT: IATTC ENFORCEMENT PROCEDURES

REF: (A) PANAMA 6564 (B) STATE 255563

1. GOP IS HAVING SECOND THOUGHTS ABOUT IMPLEMENTATION OF COMMITMENT TO CANCEL PANAMANIAN REGISTRATION OF FOREIGN-OWNED TUNA VESSELS. ORDER ISSUED OCTOBER 22 BY FINANCE MINISTRY'S CONSULAR AND SHIPPING DIRECTORATE CANCELLING REGISTRATION OF FIRST TEN TUNA FISHING VESSELS HAS SINCE BEEN SUSPENDED ON INSTRUCTIONS OF PRESIDENT LAKAS, ACCORDING TO DIRECTORATE'S CHIEF (KOURUKLIS). LATTER OFFICIAL TOLD EMBOFF HE WAS ENCOUNTERING CONSIDERABLE DIFFICULTIES IN SEEKING TO IMPLEMENT GENERAL TORRIJOS' INSTRUCTIONS REGARDING CANCELLATION, AS HE HAD EARLIER WARNED SUPERIORS WOULD BE THE CASE. FIRST OF ALL, 300 OR SO VESSELS UNDER PANAMANIAN REGISTRY MENTIONED REF A TO WHICH ORDER MIGHT APPLY ARE FISHING VESSELS BUT NOT NECESSARILY ALL ENGAGED IN TUNA FISHING. SHIP REGISTRATION DOES NOT HAVE TO SPECIFY
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TYPE OF FISHING, SO INVESTIGATION WOULD BE REQUIRED ON SHIP BY

SHIP BASIS. (KOURUKLIS BELIEVES MAJORITY OF VESSELS MAY BE ENGAGED IN TUNA FISHING, BUT MOSTLY IN OTHER PARTS OF THE WORLD). SECONDLY, THERE IS LEGAL PROBLEM OF DEFINING FOREIGN-OWNED, SINCE TECHNICALLY MOST VESSELS ARE OWNED BY PANAMANIAN CORPORATIONS WHICH IN TURN ARE FOREIGN CONTROLLED BUT SOMETIMES HAVE SOME LOCAL PARTICIPATION. KOURUKLIS SAID THAT FIRST EN VESSELS LISTED FOR CANCELLATION OF REGISTRATION WERE CHOSEN BECAUSE THEY WERE LARGER SHIPS AND WERE KNOWN FOR CERTAIN TO BE ENGAGED IN

TUNA FISHING. IMMEDIATE RESULT OF CANCELLATION ORDER WAS OUTCRY FROM OWNERS PROTESTING THEY WERE BEING PUNISHED IN ABSENCE OF ANY EVIDENCE OF WRONG-DOING ON THEIR PART AND ALSO FROM US, JAPANESE, AND WEST EUROPEAN BANKS WHICH HAD FINANCED VESSELS IN QUESTION. KOURUKLIS INDICATED HE WAS AWAITING FURTHER INSTRUCTIONS BEFORE PROCEEDING WITH MATTER. HE CONSIDERS CANCELLATION OF PANAMANIAN REGISTRATION TO BE OF LITTLE OR NO BENEFIT IN SEEKING TO ENFORCE IATTC CONSERVATION MEASURES SINCE VESSELS LIKELY TO HAVE NO PROBLEM IN OBTAINING REGISTRATION UNDER OTHER FLAGS OF CONVENIENCE.

2. COMMENT: GOP APPEARS TO HAVE DECIDED IT CHOSE TOO BIG A STICK IN ATTEMPTING TO BE RESPONSIVE TO PROBLEMS OF IATTC ENFORCEMENT, SINCE ORDER AFFECTING ALL NON-PANAMANIAN TUNA VESSELS MAY ENCOMPASS MANY WHICH NORMALLY DO NOT FISH FOR YELLOWFIN OR IN AREA OF IATTC CONCERN. BLANKET CANCELLATION OF SHIP REGISTRATION THEREFORE LEAVES GOP OPEN TO CHARGES OF ARBITRARY ACTION (AS WELL AS CURTAILING TRADITIONAL SOURCE OF REVENUE). ALSO GOP IS PARTICULARLY SENSITIVE AT PRESENT TIME TO NEED TO MAINTAIN ITS GOOD REPUTATION WITHIN INTERNATIONAL BANKING COMMUNITY.

3. EMBASSY AGREES LETTER FROM HOWARD TO OBARRIO WOULD BE APPROPRIATE AND ADVISABLE MECHANISM FOR DEVELOPING NEEDED TECHNICAL PROCEDURES FOR INSPECTION AND REPORTING (REF B), WHICH ARE ALL THE MORE IMPORTANT IN VIEW OF DEVELOPMENTS OUTLINED ABOVE. EMBASSY WILL LIKEWISE CONTINUE TO STRESS DESIRABILITY OF WORKING OUT SUCH PROCEDURES IN ITS WORKING

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LEVEL CONTACTS.
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